



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant : Hickey et al.
Serial No. : 10/611,391
Filed : July 1, 2003
Title : MOUSEPAD CALENDAR
Docket : 100041-41143
Examiner : Brian Green
Art Unit : 3611

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. §1.132

I, Jacki J. Walters, do declare and state that:

1. I am Marketing Manager, Decorative Calendars, for the Consumer and Office Products Division of MeadWestvaco Corporation ("MeadWestvaco").

2. Upon information and belief MeadWestvaco is the owner of the above-identified patent application.

3. I have reviewed and am familiar with the above-identified patent application, and am an inventor of the invention disclosed and claimed in such application.

4. As part of my job responsibilities I oversee design and develop new calendar products.

5. The invention defined in the claims of this application has been manufactured on behalf of MeadWestvaco, or acquired by MeadWestvaco for sale to others, and sold in the

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marketplace, since 2002. The invention defined in the claims of this application is known and referred to at MeadWestvaco as the "Mousepad Calendar."

6. MeadWestvaco has sold the following number of Mousepad Calendars on a yearly basis:

2002: 115,919
2003: 117,997
2004: 124,037
2005 (through mid-June): 110,531
Total: 468,484

7. MeadWestvaco's sales of the Mousepad Calendars have generated the following gross revenue on a yearly basis:

2002: \$361,408
2003: \$388,061
2004: \$422,851
2005 (through mid-June): \$302,602
Total: \$1,474,922

8. MeadWestvaco generally does not sell Mousepad Calendars to the general public, but instead makes the great majority of its sales to retailers. MeadWestvaco's retail customers include Wal-Mart, K-Mart, Office Max, Staples, Office Depot, Safeway, and Carlton Cards.

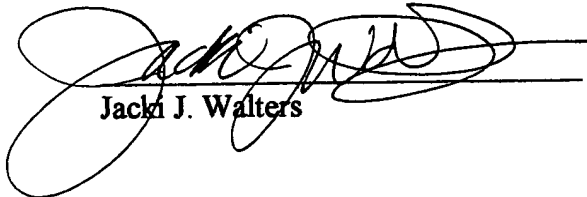
9. MeadWestvaco advertises the Mousepad Calendars to retail customers in the form of catalogs which lists the Mousepad Calendar as an item available for purchase, along with hundreds of other products listed in such catalogs.

10. In my opinion, the commercial success of the Mousepad Calendar is primarily due to the combined functionality of a mouse pad and a calendar, and not primarily due to any other factor including advertising.

I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

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Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Jacki J. Walters

Date: June 21, 2005

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